

ADDENDUM TO AGENDA  
LAWTON CITY COUNCIL REGULAR MEETING  
OCTOBER 23, 2018 - 6:00 P.M.  
LAWTON CITY HALL  
COUNCIL CHAMBERS/AUDITORIUM

BUSINESS ITEMS:

1. Consider an ordinance pertaining to Personnel Policies and Procedures amending Section 17-1-6-162, Division 17-1-6, Article 17-1, Chapter 17, Lawton City Code, 2015 by increasing the number of fixed holidays per year from six (6) to seven (7), providing for severability, and declaring an effective date. Exhibits: Ordinance 2018-\_\_\_\_\_.

ADJOURNMENT

"The City of Lawton encourages participation from all of its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at (580) 581-3305 at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. The City may waive the 48 hour rule if interpreters for the deaf (signing) is not the necessary accommodation."

ITEM NO. 1

MTG. DATE October 23, 2018

**CITY COUNCIL MEETING**  
**STAFF AGENDA ITEM COMMENTARY**

**ITEM TITLE:** Consider an ordinance pertaining to Personnel Policies and Procedures amending Section 17-1-6-162, Division 17-1-6, Article 17-1, Chapter 17, Lawton City Code, 2015 by increasing the number of fixed holidays per year from six (6) to seven (7), providing for severability, and declaring an effective date.

**INITIATOR:** Human Resources Director

**STAFF INFORMATION SOURCE:** Human Resources Director

**BACKGROUND:** The proposal to increase the number of holidays to which employees are entitled per year was discussed by the EAC at a recent Employee Advisory Council meeting. There is strong support for this proposal by employees and individual EAC Board members. Staff subsequently performed comparisons with other cities throughout the state who participate in the Oklahoma Municipal League survey regarding the numbers of holidays cities in Oklahoma provide to their employees. Therefore, a recommendation of adding another fixed holiday (the Friday after Thanksgiving) is requested for City of Lawton employees.

**EXHIBITS:** Ordinance 2018-\_\_\_\_\_  
Letter of Support from the EAC

**KEY ISSUES:** Does Council wish to add an additional holiday and fund the estimated \$8,900.00 cost through lapse funding from the City's Salary and Wages Account.

**FUNDING SOURCE:** General Fund Budget, Salary and Wages Account

**RECOMMENDED COUNCIL ACTION:** Adopt Ordinance 2018-\_\_\_\_\_, waive the reading of the ordinance, and read the title only.

**ORDINANCE NO. 18-\_\_\_\_**

AN ORDINANCE PERTAINING TO PERSONNEL POLICIES AND PROCEDURES, AMENDING SECTION 17-1-6-162, DIVISION 17-1-6, ARTICLE 17-1, CHAPTER 17, LAWTON CITY CODE, 2015, BY INCREASING THE NUMBER OF FIXED HOLIDAYS PER YEAR FROM SIX (6) TO SEVEN (7), PROVIDING FOR SEVERABILITY, AND DECLARING AN EFFECTIVE DATE.

**ORDINANCE**

***NOW, THEREFORE, BE IT ORDAINED*** by the Council of the City of Lawton, Oklahoma, that:

Section 1. Section 17-1-6-162 is hereby amended to read as follows:

17-1- 6-162 Holidays.

A. Regular employees shall be entitled to ~~eleven~~twelve (~~11~~12) holidays per year. The holidays shall consist of ~~six~~ seven fixed holidays as designated herein and five flexible holidays.

B. Regular and regular part-time employees shall sustain no loss of pay for any biweekly payroll period in which a fixed holiday occurs which would normally be an employee's work day unless the employee is on leave without pay the day before or after the fixed holiday.

C. The following fixed holidays are hereby designated and shall be observed in accordance with the following provisions:

January 1-New Year's Day;

Memorial Day;

July 4-Independence Day;

Labor Day;

Thanksgiving Day;~~and~~

Friday after Thanksgiving; and

Christmas.

1. The department directors shall notify the human resources director by July 1 of each fiscal year the name and position of all shift employees. In lieu of overtime, all shift employees shall receive a holiday credit of eight hours or an additional eight hours of

pay for each of the six fixed holidays. If the fixed holiday leave credit is not used during the fiscal year, shift employees shall be paid annually for all unused fixed holiday leave credits. The annual payment shall be made on the first non-payday Friday in May.

2. In lieu of overtime, regular, non-exempt employees and shift employees who are not scheduled to work on a fixed holiday, but who are called on to work and do work on a fixed holiday, shall be paid for all hours actually worked on the fixed holiday at a rate which is one and one-half times their regular rate of pay. Such compensation shall be in addition to the regular payment for the fixed holiday and shall be paid at the next available payroll period following the fixed holiday.
3. It is the right of the immediate supervisor to determine who shall, to provide necessary services, work on a designated fixed holiday;
4. For those designated fixed holidays which fall on a weekend:
  - a. If the holiday falls on a Saturday, the preceding Friday will be considered the holiday; and
  - b. If the holiday falls on a Sunday, the following Monday shall be considered the holiday;
5. If an employee is sick, the employee will not be charged sick leave for the designated fixed holiday authorized during the absence;
6. If an employee is on vacation, the employee will not be charged vacation leave for the designated fixed holiday observed during the absence; and
7. Should the city council declare special fixed holidays, they shall be observed in accordance with the provisions of this section.

D. Flexible holidays may be observed by regular employees and regular part-time employees on a date mutually agreeable to the employee, the employee's immediate supervisor and the department director and shall be in accordance with the following provisions:

1. Regular employees with at least one year of current continuous service as of July 1 shall be allowed forty (40) hours flexible holiday time, to be used during the next fiscal year. Regular part time employees shall be allowed twenty (20) hours of flexible holiday time.
2. Regular employees and introductory employees with less than a year of current continuous service, shall be allowed a prorated amount of flexible holiday time based on the relationship of the months of service remaining during the fiscal year to twelve (12) months' service.
3. In submitting a request for flexible holiday time and in considering the request, the employee, the employee's supervisor, and the department director shall consider the level of service which must be provided by the city activity and the needs and desires of the employee.

4. Regular employees, regular part time employees and introductory employees must use their flexible holidays before the last payroll period in June of each year or otherwise unused flexible holidays will be lost and there shall be no compensation paid therefor.

5. Regular employees, regular part-time employees and introductory employees who separate from city service during the fiscal year will have flexible holiday time pro-rated at the rate of four (4) hours per month for the months of July through April of the current fiscal year. If an employee leaves service during these months and has used more than the accrued amount of flexible leave, the amount used over the accrued amount will be deducted from final payouts due the employee. If an employee leaves during the months of May and June, no deduction will be made as they will have accrued the full forty (40) hours flexible holiday time as of April 30 of the current fiscal year. Reimbursement shall be based on the employees regular hourly rate of pay at the time of separation.

Section 2. Severability. If any section, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

Section 3. Effective Date. The provisions of this ordinance shall become effective thirty (30) days after its passage.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
FRED L. FITCH, MAYOR

ATTEST:

\_\_\_\_\_  
TRACI L. HUSHBECK, CITY CLERK

APPROVED as to form and legality this 19 day of OCT, 2018.

  
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FRANK V. JENSEN, CITY ATTORNEY



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## Employee Advisory Committee

212 SW 9<sup>th</sup> Street  
Lawton, OK 73501

Dear City Council,

Members of the Employee Advisory Committee recognize that in tight budgets like we have experienced for many years in a row, it is difficult to provide step increases for general employees—let alone fully fund step increases and provide cost of living increases, as well. Our members also recognize that many benefits provided by the City to our employees may carry a high cost; and in recent years, we have seen a sizeable amount of those benefits reduced or eliminated outright. However, we are of the belief that there exist cost effective ways to recognize and reward the hard work that the General Employees engage in for our citizens in all conditions, at all times of the day and night, every day of the year. The Employee Advisory Committee is heartened by the prospects of exploring and pursuing these additional avenues of recognition when prudent and feasible.

One such cost effective way of showing our General Employees that they are appreciated and respected is to provide an additional fixed holiday. It is in light of all of this that we ask you to approve the proposed additional holiday. We appreciate the opportunity to lobby for our employees, and we appreciate the Lawton City Council for their consideration in working towards improving the morale of the employees with this additional benefit.

Sincerely,

A handwritten signature in black ink, appearing to read "Travis Estep", is written over a light blue horizontal line.

Travis Estep  
EAC Chairperson  
Transportation Planner